

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Adams (US 5,395,803).

Adams discloses a coating method comprising: dripping a coating liquid in a ring shape in the vicinity of the circumference on the coating surface of the object, and thereafter dripping the coating liquid in a spiral shape towards a geometrical center of the object from the outer circumference (col. 3, lines 4-21 and Figure 4).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Magne (US 2002/0041929).

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Magne discloses a coating method of applying a coating liquid on a surface of a photochromic lens while rotating the lens comprising: dripping the coating liquid in a ring shape in the vicinity of the outer circumference on the surface of the lens, and thereafter dripping the coating liquid in a spiral shape toward a geometrical center of the lens from the vicinity of the outer circumference (paragraphs [0051] and [0060] and [0078]). Paragraph [0060] states that the nozzle can be moved in a radial direction, preferably away from the center, or alternating away from and to said center. The use of "preferably" implies that the nozzle may also be moved in an opposite direction, from the periphery to the center. Additionally, Applicant's broad "comprising" language is inclusive of the disclosed process where nozzle movement is both away from and to the center.

The lens has a convex curved shape as illustrated in the figures. Further, paragraph [0069] teaches that coatings having photochromic properties may be applied to the lens substrate.

5. Claims 1-2 and 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Blackburn et al. (US 6,352,747).

Blackburn et al. discloses a coating method of applying a coating liquid on a surface of a photochromic lens (col. 1) while rotating the lens comprising: dripping the coating liquid in a ring shape in the vicinity of the outer circumference on the surface of the lens, and thereafter dripping the coating liquid in a spiral shape toward a geometrical center of the lens from the vicinity of the outer circumference (col. 3, lines 36-39). Photochromic lens necessarily have a convex curved shape as is well known in the art.

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Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Magne.

Magne teaches that the coating liquid may have a viscosity in the range of 0.1 to 2000 cps (paragraph [0072]). Overlapping ranges are *prima facie* evidence of obviousness. It would have been obvious to one having ordinary skill in the art to have selected the portion of Magne's viscosity range that corresponds to the claimed range. *In re Malagari*, 184 USPQ 549 (CCPA 1974). Further, one skilled in the art would have determined the optimum viscosity depending upon the type of coating to be applied, its desired thickness, and based on the spin coating parameters, etc.

8. Claims 3 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackburn et al.

Blackburn et al. lacks a teaching of the coating liquid's viscosity. It would have been obvious for one having ordinary skill in the art to have determined the optimum viscosity depending upon the particular coating material to be applied, its desired thickness, and based on the spin coating process parameters, etc.

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten C. Jolley whose telephone number is 571-272-1421. The examiner can normally be reached on Monday to Tuesday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kirsten C Jolley/
Primary Examiner, Art Unit 1792

kcj